



May 14, 2004

The Division of Dockets Management (HFA-305)
Food and Drug Administration
5630 Fishers Lane
Room 1061
Rockville, MD 20852

Re: Prior Notice of Imported Food Under the Public Health
Security and Bioterrorism Preparedness Act of 2002
Docket No. 2002N-0278

Dear Sir or Madam:

These comments are filed on behalf of the Chilean Exporters Association (ASOEX), a trade association whose members account for approximately 85 percent by volume of total Chilean exports of fresh fruits and vegetables from Chile to all world markets.

The Chilean fresh fruit and vegetable export sector generates annual returns of \$1.6 billion FOB. Approximately 9 percent of the total Chilean workforce is employed in growing fruit and vegetables and in service industries related to their exportation to world markets, of which the United States is the largest single destination. In the 2002-2003 season, 778 thousand tons was shipped to the US, accounting for 41 percent of total world exports of 1.89 million tons.

One of the primary missions of ASOEX, reaffirmed after the events of September 11, 2001, is to maintain and increase the world leadership position of the Chilean fruit and vegetable industry in assuring the quality and safety of the products exported from Chile to world markets. For this reason, ASOEX is committed to supporting all governmental initiatives that effectively and efficiently guard against threats to the security of the food supply, especially threats of tampering or bioterrorism. With that primary mission in mind, ASOEX has been actively involved in forming partnerships with all government agencies worldwide working toward enhanced security measures. In forming these partnerships, ASOEX has also drawn on its lengthy and successful cooperative agreements formed with several US agencies and their Chilean government counterparts over the last twenty years, as noted below.

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Our member companies are complying with all requirements imposed by the "Prior Notice of Imported Food" and "Registration of Food Facilities" regulations, for freight shipments to U.S. ports via ocean carriers and air transport. All member companies utilize a US importer or broker, as suggested by FDA (ABI/ACS system), to achieve compliance with the regulations.

Exporters are using different kinds of transmission formats to send the information to importers or brokers in the United States. For the last eight months, none of the member companies have received any notice from FDA authorities requesting any changes in content or formatting of the transmitted information. Therefore, it appears that FDA is satisfied with the industry approach to regulatory compliance. In the event that FDA requires a change in the format or content of the reporting now conducted by our member companies, we believe that FDA should notify the companies well in advance of any such requested changes.

We appreciate your consideration of these comments and continue to look forward to a cooperative working relationship in addressing this important issue.

Respectfully submitted,

David A. Holzworth
General Counsel for United States Operations
Lepson Holzworth & Kato, PLLC
1225 19th Street, NW
Washington, DC 20036
(202) 223-9109